

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32821 of 2025

Arising Out of PS. Case No.-104 Year-2024 Thana- MALAHI District- East Champaran

Anil Nat S/o Sabad Nat R/o Village- Sirani Nat Toli, P.S.- Malahi, District-
East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Sharda Nand Mishra, Advocate
	Mr. Dhandev Kumar, Advocate
	Ms. Isha Mishra, Advocate
	Mr. Sumit Kumar Gupta, Advocate
For the Opposite Party/s :	Mr. Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 19-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with
Malahi P.S. Case No.104 of 2024 instituted under Section 30(a)
of the Bihar Prohibition and Excise Act.

3. There is recovery of 22 litres of country made liquor
from the hut of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. The hut of the petitioner is made of straw and at the time
of recovery, the petitioner was not present at the spot. Due to
two criminal antecedents, the petitioner has been implicated in



this case on the basis of suspicion. Nothing has been recovered from conscious possession of the petitioner. The recovery has not been made in presence of independent witnesses. Petitioner undertakes to cooperate in the investigation and the trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Court No.1, East Champaran, Motihari in connection with Malahi P.S. Case No.104 of 2024, subject to the conditions as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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